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NATIONS UNIES
HAUT COMMISSARIAT AUX DROITS DE L'HOMME



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Geneva, 12 March 2010

Excellency,

I write to inform you that in the course of its 76th session, the Committee considered the situation of the Romani and Irish Traveller community of Dale Farm, County of Essex, under its early warning and urgent action procedure, in light of information submitted by a non-governmental organization. According to that information, the Romani and Irish Traveller community is at risk of a pending eviction, which may imply a violation of their rights under article 5 (e) (iii) of the Convention on the Elimination of all Forms of Racial Discrimination.

The Committee notes that the local council, Basildon District Council, has served a number of enforcement notices concerning some 90 families, comprising of approximately 300 persons, including many children, elderly and infirm. As the enforcement notices were not complied with, the Council has undertaken legal action, which was upheld by the Court of Appeal on 22 January 2009. Moreover, on 10 December 2009, Basildon District Council selected the private bailiff company Constant and Co. (Bedford) Ltd to undertake planning enforcement action. According to the information before the Committee, this company has been responsible for past rough evictions of other communities, allegedly resulting in destruction of private property and racist conduct, drawing subsequent criticism from the High Court.

The Committee expresses its concern about the information presented above and would be grateful for an urgent clarification of the situation. The Committee also wishes to urge your Government and its institutions to consider suspending any planned eviction until an adequate solution is achieved, with meaningful participation of the Dale Farm community, to guarantee protection of their housing rights, including the provision of suitable and adequate alternative accommodation. It furthermore recommends that a comprehensive survey or risk assessment be conducted to study the immediate and long term adverse social and economic effects of this eviction, especially for the most vulnerable, including children, before any further action is undertaken.

Might your Government decide to nevertheless proceed with the intended eviction, the Committee recommends that the same should be carried out in a humane manner, in accordance with international human rights law, and to designate alternative sites that are adequate, suitable for relocation, and compatible with the culture and traditions of the people affected. It also wishes to draw the Government's attention in this regard to its General Recommendation No.27 on Discrimination against Roma.

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In accordance with article 9 (1) of the Convention and article 65 of its Rules of Procedure, the Committee requests the State party to submit its response before **31 July 2010**.

Allow me, Excellency, to reiterate the wish of the Committee to continue to engage in a constructive dialogue with the Government of the United Kingdom, with a view to provide it with assistance in the effective implementation of the Convention.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Anwar Kemal', with a long, sweeping horizontal stroke extending to the right.

Anwar Kemal
Chairperson of the Committee on the
Elimination of Racial Discrimination

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